

Attorney Docket No. SIC-02-009-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:

MASAHIRO YAMANAKA

Application No.: 10/676,417

Filed: September 30, 2003

For: BICYCLE CRANK AXLE WITH A  
RADIAL PROJECTION

Examiner: Vinh Luong

Art Unit: 3682

REPLY BRIEF

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

This is a reply brief for the above-captioned matter.

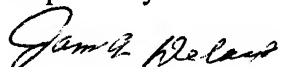
The Examiner's Answer concedes at the bottom of page 3 that "the cylindrical portions of axle 1 could not pass through the opening 18,19 in the crank arm 17." The Examiner's Answer then maintains that "the flat 15 of the crank arm 17 [sic - it is presumed that the flat of axle 1 was intended] could pass the opening 17,19," and such a possibility is covered by the claims. However, claim 35 expressly recites the requirement that the Examiner's Answer concedes is not shown by Ernest.

Claim 13 recites "a projection extending radially outwardly from one of the first and second end portions of the axle body" and "the axle body is dimensioned so that the crank arm that abuts against the projection is mounted to the projection by passing the *other* one of the first and second end portions of the axle body through the crank arm and passing the axle body through the crank arm until the crank arm is mounted to the projection." In other words, the axle body must be dimensioned such that the axle body, beginning at the *other* end portion and extending to the end portion that

contains the projection, must be dimensioned to fit through the opening in the crank arm. Claim 35 is limited to the very situation that the Examiner's Answer states is not shown by Ernest.

The Examiner's Answer maintains that claim 35 is satisfied by an axle that only can be mounted to a crank arm by passing through the opening in the crank arm the *same* end portion that subsequently contains the projection. However, that does not address the express requirement of claim 35 that the axle body is dimensioned so that the crank arm that abuts against the projection is mounted to the projection by passing the *other* one of the first and second end portions of the axle body (i.e., the end portion opposite from the end portion containing the projection - the one that does not contain the projection) through the crank arm and passing the axle body through the crank arm until the crank arm is mounted to the projection."

Respectfully submitted,



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